

REMARKS

This application has been reviewed in light of the Office Action dated January 13, 2005. Claims 45-55, 58, 61-63, 66, 72 , 75 and 78 are presented for examination. Claims 64 and 65 have been canceled, without prejudice or disclaimer of subject matter, although Applicants do not concede the propriety of any rejection of those claims in the Office Action.¹ Those claims will not be further addressed herein. Claims 45, 50, 55, 58, 61, 66, 72, and 75, the independent claims, have been amended to define still more clearly what Applicants regard as their invention. Claims 47, 48, 52, 53, and 63 also have been amended to even further clarify the claimed subject matter. Claim 78 has been added to provide Applicants with a more complete scope of protection. Favorable reconsideration is requested.

An Information Disclosure Statement and a corresponding Form PTO-1449 were filed in the Patent Office on July 16, 2004. Applicants respectfully request the Examiner to return an initialed copy of the Form PTO-1449, indicating the reference cited therein has been considered. If the Examiner needs additional copies of any of those papers, Applicants' attorney will gladly supply same upon request.

The Office Action Summary does not acknowledge the Patent Office's receipt of the certified copies of the Japanese priority documents in the parent Application No. 08/622,583. Because the certified copies of the priority documents were submitted to the Patent Office in the parent application, the Examiner is respectfully requested to check

^{1/} It is noted that the body of the Office Action does not specifically states that Claims 64 and 65 have been rejected under Section 102 or Section 103, although the remarks beginning at the bottom of page 2 of the Office Action address those claims.

the Patent Office's records of the parent application to confirm such receipt, and to confirm in writing in the present divisional application that the certified copies were received. If the Examiner does not believe that the certified copies were submitted in the parent application, the Examiner is respectfully requested to contact the undersigned attorney.

Of the claims now pending, Claims 45, 50, 55, 58, and 72 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,255,308 (*Hashimoto*). Claims 46 and 51 were rejected under 35 U.S.C. § 103(a) as being obvious from *Hashimoto* in view of U.S. Patent 5,559,860 (*Mizikovsky*), Claims 47, 48, 49, 52, 53, and 54, as being obvious from *Hashimoto* in view of Japanese Kokai 57-007666 (*Nakamura*), Claim 61, 66, and 75 as being obvious from *Hashimoto* in view of U.S. Patent 4,682,367 (*Childress*), and Claims 62, 63, 76, and 77 as being obvious from *Hashimoto* and *Childress* in view of *Mizikovsky*.

Initially, Claim 77 was canceled previously, and thus the rejection of that claim is moot.

The rejection of independent Claims 45, 50, 55, 58, and 72 over *Hashimoto* will first be addressed.

Notable features of Claim 45 are to establish both a link between a control apparatus and a first communication apparatus and a link between the control apparatus and a second communication apparatus in accordance with detection of an incoming call, and to maintain the link between the control apparatus and the second communication apparatus even if the first communication apparatus responds to the incoming call. The link between the control apparatus and the second communication apparatus is cut in accordance with detection of a predetermined event, which occurs after a response of the first communication apparatus

to the incoming call.

Hashimoto discloses that a control apparatus establishes links with a plurality of communication apparatuses when an incoming call is notified to the plurality of communication apparatuses in a group. However, nothing in that reference would disclose or suggest detecting a predetermined event, which occurs after a response of a first communication apparatus to an incoming call, and cutting the link between a control apparatus and a second communication apparatus in accordance with the detection, as recited in the independent Claim 45. Indeed, nothing in *Hashimoto* even teaches or suggests whether to cut links established among a plurality of communication apparatuses at a particular detected event. Accordingly, for these reasons, the mentioned independent Claim 45 is deemed clearly patentable over *Hashimoto*.

Independent Claims 50, 55, 58, and 72 each recite features that are substantially similar to those of Claim 45 emphasized above, and also are believed to be clearly patentable over *Hashimoto* for the same reasons as is Claim 45.

The rejection of independent Claims 61, 66, and 75 as being obvious from *Hashimoto* in view of *Childress* will now be addressed.

The common features of Claims 61, 66 and 75 are to connect communication channels with a first and second apparatuses in accordance with a communication request from a third apparatus, and to maintain a channel with the second apparatus even if the first apparatus starts communication with the third apparatus. The channel with the second apparatus is disconnected in accordance with detection of a predetermined event, which occurs after communication between the first apparatus and the third apparatus is started.

As mentioned above, nothing in *Hashimoto* would teach or suggest whether to

cut (or disconnect) links established among a plurality of communication apparatuses at a particular detected event. Neither is *Childress* understood by Applicants to teach or suggest those features. Indeed, *Childress* refers merely to a device for communicating via a communication channel, and is not understood to remedy what is missing from *Hashimoto*. Accordingly, Claims 61, 66, and 75 are each deemed clearly patentable over *Hashimoto* and *Childress*, whether considered separately or in combination.

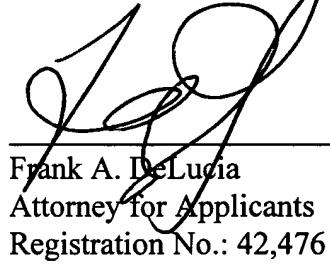
The other claims in this application depend from one or another of the independent claims discussed above, and, therefore, are submitted to be patentable over the above references for at least the same reasons. As for the additional art relied on in the Office Action, it is noted that *Nakamura* discloses that the connection between an attendant board ATT and a called subscriber B is cut off when the attendant board ATT calls the called subscriber B designated by an extension A and a predetermined time has passed or the called subscriber B answers the call from the attendant board ATT. *Mizikovsky* discloses a peripheral device for communicating voice and data. However, nothing in those references teaches or suggests anything that would remedy the above-noted deficiencies of the independent claims herein. Accordingly, because the dependent claims depend from one or another of the independent claims and therefore incorporate all of the features of those corresponding claims therein, the dependent claims are believed to be allowable over the art relied on in the Office Action, at least for the reason that each depends from a patentable base claim. Nonetheless, since each dependent claim is also deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully

request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



Frank A. DeLucia
Attorney for Applicants
Registration No.: 42,476

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 494595v1